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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVEN GARDUNO,
Plaintiff,
v.
MIKE MCDONALD, et al.,
Defendants.

No. 2:15-cv-02370 AC P

ORDER

Plaintiff is a state prisoner, currently incarcerated at California State Prison Solano, who proceeds pro se and in forma pauperis with this civil rights action filed pursuant to 42 U.S.C. § 1983. Plaintiff has consented to the jurisdiction of the undersigned Magistrate Judge for all purposes pursuant to 28 U.S.C. § 636(c) and Local Rule 305(a). See ECF No. 5.

By order filed September 15, 2016, this court found that plaintiff’s original complaint states cognizable claims against defendants Lopez and Denton, and directed plaintiff to submit the information necessary for the United States Marshal to serve process on these defendants. See ECF No. 10. The court also found that the complaint states cognizable claims against “Nurse John Doe” and “Doctor John Doe” and directed plaintiff to seek leave to amend his complaint when he learned the identity of these Doe defendants. Id.

Plaintiff has submitted the information necessary to serve process on defendants Lopez and Denton. See ECF No. 13. Plaintiff also informs the court that he believes the identities of

1 the Doe defendants are “Registered Nurse Cohen” and “Doctor Rahmon.” See ECF No. 14.
2 (Although this document is entitled “Amended Complaint,” it is not a proper pleading because it
3 fails to recount plaintiff’s allegations.) Plaintiff has filed a motion requesting assistance in
4 identifying the full names and service addresses of these new defendants, with whom plaintiff
5 interacted at High Desert State Prison. See ECF No. 15.

6 Plaintiff’s motion will be granted. The court will request that the Office of the California
7 Attorney General (AG) inquire into the identities of “Registered Nurse Cohen” and “Doctor
8 Rahmon,” and provide plaintiff and the court with their full names and service addresses if
9 available.

10 Plaintiff is informed that once he obtains information from the AG, he will need to file a
11 *comprehensive* First Amended Complaint that sets forth *all* of his allegations and clearly
12 identifies the challenged conduct of *each* named defendant. Plaintiff is directed to submit his
13 First Amended Complaint within thirty (30) days after the AG files and serves a response to this
14 order.

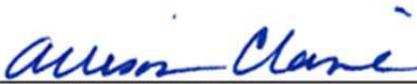
15 Accordingly, IT IS HEREBY ORDERED that:

- 16 1. Plaintiff’s request for the court’s assistance, ECF No. 15, is granted.
- 17 2. The Office of the California Attorney General is requested to attempt to identify the
18 full names and service addresses for putative defendants “Registered Nurse Cohen” and “Doctor
19 Rahmon,” both of whom previously worked at High Desert State Prison; and, within twenty-one
20 (21) days after the filing date of this order, to specially appear in this action by filing a statement
21 with the court, served on plaintiff, that provides the requested information or sets forth the
22 reasons why this information is unavailable.
- 23 3. Within thirty (30) days after the AG files and serves a responsive statement, plaintiff
24 shall file a proposed First Amended Complaint, on the form provided herewith, that incorporates
25 all the allegations of plaintiff’s original complaint and clearly identifies the challenged conduct of
26 each named defendant.
- 27 4. The Clerk of Court is directed to assist with the following matters: (1) change the title
28 of plaintiff’s notice filed October 17, 2016, from “Amended Complaint” to “Notice re. Identities

1 of Doe Defendants;” and (2) serve on plaintiff (i) a copy of this order; (ii) a copy of the original
2 complaint (4 pp.) (ECF No. 1); and (iii) a copy of the form complaint used by prisoners in this
3 district to pursue a civil rights action.

4 SO ORDERED.

5 DATED: October 19, 2016

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8 ALLISON CLAIRE
9 UNITED STATES MAGISTRATE JUDGE
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